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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 000358

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SUBJECT: MOHR REPORTS ON 2008 STATS ON AMNESTY, DETAINEES,
TERRORISM

Classified By: Deputy Political Counselor Steve Walker for reasons 1.4
(b) and (d).

11. (U) Summary: The Ministry of Human Rights has released and will soon publish its annual reports on detention facilities and victims of terrorism. According to the detentions report, 7,542 detainees were released on amnesty release orders during the year. The victims of terrorism report asserts that there were 6,787 people killed and 20,178 wounded in terrorist acts during 2008, down from about half from the previous year. Both reports will be released in English in a few weeks. End Summary.

12. (C) Minister of Human Rights Wijdan Salim shared advance copies of the Ministry's soon-to-published Annual Report on the Situation of Prisons and Detention Facilities in Iraq in 2008 and the Annual Report on the Victims of Terrorism in 2008 to PolOff on January 28. Unlike the 2007 report, this year's report on detention facilities does not discuss USG detention facilities. According to Salim, with the signing of the Security Agreement and the intention to close all USG detention facilities by the end of 2009, there is no need to continue investigating and reporting on USG facilities. (Note: MoHR teams conducted several investigations of Camps Bucca and Cropper in 2008 and devoted half of the 2007 detention report to conditions in USG detention facilities. End Note.) Both reports, currently in Arabic, will be released in English in a few weeks.

2008 STATS ON AMNESTY RELEASES

13. (U) The report concludes that 7,542 detainees were released on amnesty release orders since the passage of the General Amnesty Law in February 2008. The data on amnesty releases was collected by MoHR team visits to detention facilities and from records from the four ministries that are responsible for detention facilities: the Ministries of Justice (MoJ), Defense (MoD), Interior (MoI), and Labor and Social Affairs (MoLSA). According to this data, there were 3,232 amnesty releases from MoJ, 1,252 releases from MoD, 2,715 releases from MoI, and 343 releases from MoLSA. The MoI also reported that 2,795 release orders were invalid because the detainees had other outstanding criminal cases. (Note: The Courts have granted amnesty for approximately 23,000 detainees cases, and some detainees have multiple cases, reducing the number of individual detainees with amnesty release orders. Thus there are at most 13,000 detainees awaiting release from amnesty release orders. However, since only the MoI provided data on invalid release orders, we do not know the total number of release orders that were invalidated due to other charges. End Note.)

2008 STATS ON DETAINEES AND ABUSE

14. (U) The report also highlights findings and statistics from MoHR inspections of detention facilities. MoHR teams

perform inspections of all detention facilities once a month, with the exception of the smaller MoI jails and police stations. At the end of the year, the report claimed that there were 10,023 sentenced prisoners and 16,190 pre-trial detainees, not including MoI detainees in smaller facilities however. There were 16,675 prisoners in MoJ facilities, 1,959 detainees in MoD facilities, 623 detainees in MoLSA facilities, and 6,956 detainees in the largest MoI facilities. (Note: The total MoI detainee population is unknown, but we estimate it to be around 19,000. End Note.) The 2007 detention report claimed that there were 15,821 MoJ prisoners, 1,196 MoD detainees, 953 MoLSA detainees, and 5,547 MoI detainees, indicating an increase in 2008 detainee numbers in all but MoLSA facilities.

15. (U) The Ministry, as documented in the report, received and confirmed 307 allegations of torture or abuse during the year: 112 cases against MoI officials, 69 against MoD officials, 1 against the Prime Minister's guards (the Montather al-Zaidi shoe thrower case), and 107 abuse cases of Arab detainees by KRG officials. The numbers of confirmed cases investigated by the MoHR increased from 2007, but Salim attributed the rise to increased confidence in the ministry to investigate such cases, not to an increase in torture or abuse cases. All allegations are now being investigated by the Higher Judicial Council. The report also noted that there were 282 cases of detainees being held without warrants or any case files at the end of December.

2008 STATS ON TERRORISM

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16. (U) The Annual Report on the Victims of Terrorism in Iraq for 2008 noted that there were 6,787 people killed and 20,178 wounded in terrorist acts during 2008. Out of this group, 580 women were killed and 1,940 wounded. There were 376 children killed and 1,594 wounded. The report also noted that 10 judges and 86 lawyers were killed during the year. (Note: We only have records of six judges being killed in 2008. End Note). The 2007 terrorism report stated that 13,692 people were killed and 28,118 injured from terrorist actions; these numbers are significantly higher than the 2008 numbers.

COMMENT

17. (C) Thanks to the leadership of Minister Salim, the MoHR has been an increasingly active and effective advocate for human rights. The Ministry's growing confidence is reflected in its willingness to investigate and report on politically sensitive issues, such as the Montather al-Zaidi case. We also note the more timely release of these two reports compared to last year, which is indicative of better organization in the ministry. The statistics on amnesty releases are particularly helpful given the lack of other data regarding total releases.
CROCKER